

APPENDIX A

FedEx Ground's Appendix A:
Table Summarizing Factual Differences Among Service Providers¹

Service Provider	Linehaul or P&D	Control Over Their Employees	Use of FedEx Branding	Offered Benefits	Use of Light and Heavy Vehicles	Instructed Employees to Take Breaks	Actions to Enforce Breaks	Managers or Owners Drove?	Monitored Time	Pay Practices and Pay Period	Paid Overtime
50/60 Heaven	P&D ²	Drivers report to 50/60 Heaven managers. Divide routes, assign packages from computer system. ³	Yes ⁴	401(k) plan, one week paid vacation, health insurance, and accident, life, and cyber security insurance. ⁵	At least some heavy vehicles. ⁶	Yes. Policy in employee handbook. ⁷	Yes. Drivers must clock in and out for lunch. ⁸	Yes, a salaried route manager drives and opted in to a companion case against FedEx Ground. ⁹	Yes. Drivers must clock in and out for lunch. ¹⁰	Heavy-vehicle drivers: guaranteed daily rate of \$150. ¹¹ Light-vehicle drivers: hourly with overtime. ¹²	Heavy-vehicle drivers are not paid an overtime premium. ¹³ Light-vehicle drivers are paid overtime. ¹⁴
Abdul's Packaging Inc.	P&D ¹⁵	Assigned routes, determined schedules and workdays. ¹⁶	Yes ¹⁷	Unknown	Both ¹⁸	Yes. Instructed drivers to take breaks. ¹⁹	Unknown	Unknown	Unknown	Unknown	Unknown
A.D. Sosa Inc.	P&D ²⁰	Managers direct separate teams of drivers. ²¹	Unknown	No ²²	Both ²³	Yes. Drivers signed break policy. ²⁴	No specific action. ²⁵	Yes, if driver is sick, on vacation, no-show, etc. ²⁶	Previously: handwritten time cards. Now: data from SP's GPS units. ²⁷	Weekly pay period with monthly bonuses. ²⁸ Previously: hourly wage. Now: daily salary. ²⁹	Previously: Yes ³⁰ Now: No. Pays daily salary. ³¹

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Alecanisa, Inc.	P&D ³²	Uses outside safety consultant to monitor vehicle event data recorders. ³³	Unknown	Paid time off. ³⁴	Both ³⁵	Yes. Requires employees to record breaks. ³⁶	Employees required to record breaks on time-entry program. ³⁷	Unknown	Previously: TimeWorks-Plus timesheets. Now: TSheets, an electronic app through QuickBooks. ³⁸	Hourly, plus bonus potential. ³⁹	Yes ⁴⁰
ALX Logistics	P&D ⁴¹	Directed work and schedule. Provided personal protective equipment for COVID pandemic. Installed cameras in vehicle to monitor drivers. ⁴²	Yes ⁴³	Unknown	Primarily heavy vehicles; one light vehicle used for backup if needed. ⁴⁴	Yes. Instructed employees to take breaks. ⁴⁵	Unknown	Unknown	Unknown	Unknown	No. All full-time employees drive heavy vehicles. ⁴⁶
Bay Rim Services	P&D and Linehaul ⁴⁷	Operations manager directed employees on day-to-day basis. ⁴⁸	Yes ⁴⁹	Unknown	Primarily heavy vehicles; one van. ⁵⁰	Disputed—either orally or not at all. ⁵¹	Disputed. ⁵²	Unknown	No. Did not keep time records. ⁵³	Weekly rate. ⁵⁴	Disputed ⁵⁵

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Bondz Inc.	Linehaul ⁵⁶	Operations managers provide on-the-ground direction. ⁵⁷ Independent safety program. ⁵⁸	Unknown	Changed over time, but has offered health insurance, vacation, and sick time. ⁵⁹	Heavy vehicles only. ⁶⁰	Unknown	Unknown	Unknown	Omnitracs system that tracks hours and off-duty time. ⁶¹	Pays per mile with sign-on bonus and annual bonuses. ⁶²	Yes. Inputs hours on Omnitracs system, which calculates overtime. ⁶³
Braga Enterprises	P&D ⁶⁴	Braga Enterprises negotiated pay and paid employees. Made clear that they would give instruction, not FedEx Ground. ⁶⁵	Unknown	Unknown	Heavy vehicles ⁶⁶	Yes, reminded employees at monthly meetings to take meal and rest breaks. ⁶⁷	Unknown.	Unknown.	Unknown	Guaranteed minimum weekly salary ⁶⁸	No. Drivers drove heavy vehicles, so not entitled to overtime premiums. ⁶⁹
Bubba Sag Inc.	Linehaul ⁷⁰	Discusses timing issues with employees. ⁷¹ Does not allow FXG to get involved in managing drivers. ⁷²	Provides FXG uniforms but does not require drivers to wear them. ⁷³	Unknown	Heavy vehicles only. ⁷⁴	Unknown	Unknown	Unknown	Unknown	Unknown	No. Employees drove heavy vehicles. ⁷⁵
Cabrera Enterprises, Inc.	P&D ⁷⁶	Drivers “take instructions from <u>us</u> (or one of our managers), <u>not</u> FedEx Ground.” ⁷⁷	Unknown	Unknown	Both ⁷⁸	Yes. ⁷⁹	Yes. Uses app with GPS to check whether drivers take breaks and lunches. ⁸⁰	Unknown	Drivers use time cards and record “on duty” as soon as they arrive at the station. ⁸¹	Hourly with overtime pay. ⁸²	Yes ⁸³

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Cahill Transportation Inc.	Linehaul ⁸⁴	Drivers contact Service Provider for any issues. ⁸⁵	Unknown	Unknown	Heavy vehicles only. ⁸⁶	Unknown	Driver who provided declaration had a route that incorporated a break. ⁸⁷	Yes. Authorized Officer sometimes drove. ⁸⁸	Unknown	Per mile. Team runs pay more than solo runs because “sleeper berth” time is paid. Drivers also receive per diem. ⁸⁹	No. Heavy vehicles only. ⁹⁰
Cavalry Express Corp.	P&D ⁹¹	Performance reviews every six months. Controlled hiring and firing. Held SP-specific meetings. ⁹²	Unknown	Educational assistance for training and professional development. Paid for cell phone. ⁹³	Unknown	Yes. Policy in employee handbook. Encouraged drivers to take breaks. Hired accounting firm to ensure compliance with law and regulations. ⁹⁴	Unknown	Unknown	Unknown	Wage and salary increases based on performance reviews that occur every six months. ⁹⁵	Hired accounting firm to ensure compliance with wage-and-hour laws. ⁹⁶
Clere Solutions Inc.	P&D ⁹⁷	Instructed drivers, designed routes, determined vehicles, etc. ⁹⁸	Unknown	Unknown	Both ⁹⁹	Yes. Recorded on handwritten time cards. ¹⁰⁰	Unknown	Unknown	Previously: handwritten time cards. ¹⁰¹ Now: iPad for electronic time recording. ¹⁰²	Previously: option for day rate of \$110 or hourly rate of \$10. ¹⁰³ Now: hourly rate with overtime for light-vehicle drivers. ¹⁰⁴	Yes, for light-vehicle drivers. ¹⁰⁵

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Clutch Logistics Inc.	P&D ¹⁰⁶	Unknown	Yes ¹⁰⁷	No medical or dental coverage. ¹⁰⁸	At least some heavy vehicles. ¹⁰⁹	Yes. Policy in employee handbook. ¹¹⁰	Unknown	Unknown	Records time on QuickBooks. ¹¹¹	Unknown	Yes, even to heavy-vehicle drivers. ¹¹²
Dane Logistics	P&D ¹¹³	Managers oversee five or six drivers. ¹¹⁴	Yes. Although sometimes uses rental vehicles without logo. ¹¹⁵	No medical benefits. Paid time off for rewards. ¹¹⁶	Both ¹¹⁷	Yes, during training. Record breaks on timecards but most drivers don't take them. ¹¹⁸	Managers review drivers' timecards on a weekly basis to ensure breaks are recorded. ¹¹⁹	Yes, if a driver is out. ¹²⁰	Paper timecards collected weekly. ¹²¹	Hourly rate with raises for longevity. ¹²²	Yes, even to heavy-vehicle drivers. ¹²³
DMJ Trucking, Inc.	Linehaul ¹²⁴	Yes, owner decides which employee services each route, which days drivers work, and which routes they serve ¹²⁵	Yes, uniforms. ¹²⁶	Unknown	Heavy vehicles ¹²⁷	Yes. ¹²⁸	Unknown	Unknown	Yes, mobile ADP app on phone. ¹²⁹	Hourly pay ¹³⁰	Yes. ¹³¹
Flying Fox Logistics	Linehaul ¹³²	Leases drivers from Armada Trucking Group, a staffing company that Authorized Officer partly owns. ¹³³	No, because drivers perform work for Amazon as well. ¹³⁴ Trailers say FedEx Ground. ¹³⁵	401(k) plan, medical, dental, life insurance, paid vacation, paid time off, paid sick leave. ¹³⁶	Heavy vehicles only. ¹³⁷	Yes, during mandatory orientation. ¹³⁸	Periodically reminded of break policy. ¹³⁹	Unknown	Drivers "clock in" "as soon as they set foot on the grounds of the facility." Electronic records of time. ¹⁴⁰	Hourly pay, including for waiting time, plus bonuses. ¹⁴¹ Varying rates based on experience, runs, seniority, and other factors. ¹⁴²	Unknown

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G2 Logistics	Linehaul ¹⁴³	Direct drivers on assigned runs. Discuss taking unassigned runs with drivers. ¹⁴⁴	Unknown	Medical insurance. ¹⁴⁵	Heavy vehicles only. ¹⁴⁶	Yes. Safety plan states the need for breaks. ¹⁴⁷	Unknown	Unknown	Unknown	Mostly per mile, but each driver had different pay scale. ¹⁴⁸	No. Heavy vehicles only. ¹⁴⁹
GabMar Inc	P&D ¹⁵⁰	SP-specific meetings. ¹⁵¹ Planned and assigned routes. ¹⁵² Assigned drivers safety quizzes and modules. ¹⁵³	Unknown	Unknown	At least some heavy vehicles. ¹⁵⁴	Yes. Policy in employee handbook. ¹⁵⁵ Informed drivers both orally and in writing every few weeks. ¹⁵⁶	Yes. Informed drivers both orally and in writing every few weeks. ¹⁵⁷	Unknown	Weekly reporting form. ¹⁵⁸	8 hours of regular pay and 4 hours of overtime pay each day. ¹⁵⁹ Offered to pay cell phone bill. ¹⁶⁰	Yes, even to heavy- vehicle drivers. ¹⁶¹
Ground Flor Package Systems, Inc.	P&D ¹⁶²	Makes adjustments to routes and timing to accommodate fluctuating package volume. ¹⁶³	Unknown	Unknown	Heavy vehicles only. ¹⁶⁴	Unknown	Yes. Used signed time cards. ¹⁶⁵	Unknown	Unknown	Hourly rate with weekly guaranteed minimum. ¹⁶⁶ Potential for bonus pay. ¹⁶⁷	No, but weekly guaranteed pay is based on 40 regular hours and 10 overtime hours. ¹⁶⁸
Leonard Trucking, Inc.	Linehaul ¹⁶⁹	Yes. Dispatches drivers and instructs them on routes and responsibilities. Controls business and how work is done. ¹⁷⁰	Yes for trucks ¹⁷¹	Yes, including medical, dental, vision, and life insurance ¹⁷²	Heavy vehicles only ¹⁷³	Yes, trained and instructed on policies, which comply with law and DOT rules and regulations ¹⁷⁴	Drivers required to follow ¹⁷⁵	Unknown	Recorded hours and time in Qualcomm Omnitracts Fleet System ¹⁷⁶	Pay for nonproductive wait time and rest time ¹⁷⁷	Unknown

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LR Express, Inc.	P&D ¹⁷⁸	Assigns routes. Trained drivers to “assess themselves prior to operating any vehicle” for safety reasons. ¹⁷⁹	Yes ¹⁸⁰	Unknown	At least some heavy vehicles. ¹⁸¹	Yes. Policy in employee handbook. ¹⁸²	Encouraged drivers to take breaks for safety. Requires breaks to be recorded on an app. ¹⁸³	Unknown	Recorded hours on timesheets. ¹⁸⁴	Hourly rate with overtime.	Yes ¹⁸⁵
Motion Express	P&D ¹⁸⁶	Employee Safety handbook. ¹⁸⁷ Told drivers that FXG employees cannot speak with them. ¹⁸⁸	Logo on some vehicles. Drivers wear uniform. ¹⁸⁹	Implementing group life insurance. ¹⁹⁰	Both ¹⁹¹	Yes, during initial training. ¹⁹²	Yes, repeatedly told drivers breaks were mandatory. ¹⁹³	Unknown	Uses DOT scanner data. ¹⁹⁴	Daily rate. ¹⁹⁵	Unknown
MRD Transport	P&D ¹⁹⁶	Separate office with managers tracking vehicles and calling about pickups. ¹⁹⁷	Yes. Some but not all trucks have FXG logo. ¹⁹⁸	No ¹⁹⁹	Primarily heavy vehicles. Light vehicles used “a long time ago.” ²⁰⁰	Yes, at least in writing. ²⁰¹	Employees required to acknowledge break policy on timecards. ²⁰²	Yes ²⁰³	Handwritten time cards, manually converted to spreadsheet. ²⁰⁴	Previously: weekly rate (until 2018). ²⁰⁵ Now: hourly with bonus potential. ²⁰⁶	Yes prior to mid-2020. Then switched to premiums only for light-vehicle drivers. ²⁰⁷

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ODD Enterprises, Inc.	Linehaul ²⁰⁸	Employee Handbook sets out rules, policies, and procedures, including pay and breaks ²⁰⁹ Owner decides how to run her business and controls how work is done. ²¹⁰	Unknown	Unknown	Heavy vehicles only ²¹¹	Yes ²¹²	Unknown	Unknown	Yes, drivers responsible for accurately logging hours on Qualcomm ²¹³	Unknown	Unknown
Pacific Freight, Inc.	Linehaul ²¹⁴	Solely responsible for assigning routes, scheduling drivers, disciplining drivers. ²¹⁵	Unknown	Paid vacations, paid sick leave, unpaid leave, paid holidays. ²¹⁶	Heavy vehicles only. ²¹⁷	Yes. Encourages drivers to take breaks. ²¹⁸	Yes. Encourages drivers to take breaks. ²¹⁹	Unknown	Unknown	Safety and peak season bonuses. ²²⁰	Unknown
Papo, Inc.	P&D ²²¹	“Mr. Bautista seems to misconstrue good client service with client control.” ²²²	Yes ²²³	Unknown	At least some heavy vehicles. ²²⁴	Unknown	Yes. Trained and instructed drivers to take breaks. ²²⁵	Unknown	Drivers log time. ²²⁶	Pays drivers for 8 hours even if they work fewer hours. ²²⁷	Unknown
Sheban Express, Inc.	P&D ²²⁸	Assigned routes. ²²⁹	Unknown	Unknown	Unknown	Yes. Policy in employee handbook and recorded on timesheets. ²³⁰	Unknown	Unknown	Unknown	Hourly rate with overtime. ²³¹	Yes ²³²

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Sierra Valley Logistics, Inc.	Linehaul ²³³	FedEx Ground employees not allowed to speak with drivers “unless I expressly ask FedEx Ground to.” ²³⁴	Provides FXG uniforms but does not require drivers to wear them. ²³⁵	Three paid sick days per year, paid holidays, one week paid vacation. ²³⁶	Heavy vehicles only. ²³⁷	Yes. Policy in employee handbook. ²³⁸	Employees keep handwritten time sheets and log books. ²³⁹	Rarely ²⁴⁰	Unknown	Weekly salary and \$20/hour wait time pay. ²⁴¹ \$20/month for cell phone bill. ²⁴²	No. Heavy vehicles only. ²⁴³
Sylkim, Inc.	P&D ²⁴⁴	“Specifically instructed . . . to take direction from Sylkim, Inc. only.” ²⁴⁵	FXG logo on uniform and trucks with FXG logo magnet. ²⁴⁶	Unknown	At least some heavy vehicles. ²⁴⁷	Yes. Required employees to take breaks and recorded breaks on handwritten time cards. ²⁴⁸	Recorded breaks on handwritten and signed time cards. ²⁴⁹	Unknown	Handwritten time cards signed by each employee. ²⁵⁰	Regular hourly rate, overtime, double overtime, and bonuses once driver exceeds a number of stops. ²⁵¹	Yes ²⁵²
Tenter Enterprises Inc	P&D ²⁵³	Assigns and designs routes. ²⁵⁴	Yes. FXG logo uniform and trucks. ²⁵⁵	Yes. 401(k) plan with matching contribution, group health benefits, dental insurance, paid time off, paid vacation and sick pay. ²⁵⁶	Unknown	Yes. Policy in employee handbooks and recorded breaks on handwritten time cards. ²⁵⁷	Recorded breaks on handwritten and signed time cards. ²⁵⁸	Unknown	Handwritten time cards signed by each employee. ²⁵⁹	Hourly rate with overtime. ²⁶⁰	Yes ²⁶¹

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Turner Holdings	Linehaul ²⁶²	Manages drivers, but FXG manager told him certain drivers were too slow two-to-five times. ²⁶³	No uniform required. ²⁶⁴	Contributes money each month to drivers' own health insurance plans. ²⁶⁵	Heavy vehicles only. ²⁶⁶	Unknown	Unknown	Yes, if driver is sick or out. ²⁶⁷	Unknown	Local drivers are paid by day. Long-distance drivers paid per mile. ²⁶⁸ Bonuses based on mileage. ²⁶⁹ Paid Plaintiff Sobaszkiewicz extra to wash cars on non-driving days. ²⁷⁰	No. Heavy vehicles only. ²⁷¹
Wahoo	P&D ²⁷²	Trained drivers and assigned routes. ²⁷³	Yes, uniform with Wahoo Logistics name on the sleeves. ²⁷⁴ FXG logo on trucks. ²⁷⁵	Unknown	Both ²⁷⁶	Yes, during initial training. ²⁷⁷	Recorded breaks on handwritten and signed time cards. Personally reminded drivers to take breaks. ²⁷⁸	Unknown	Handwritten time sheets. ²⁷⁹	Daily rate. ²⁸⁰	Yes ²⁸¹

¹ Citations are to the exhibits to the Declaration of Sean F. Daley in Support of FedEx Ground's Opposition to Class Certification.

² Bagnara Decl. ¶ 1, Ex. 10.

³ *Id.* ¶¶ 2, 4.

⁴ *Id.* ¶ 5.

⁵ *Id.* ¶ 22.

⁶ *Id.* ¶ 19, 25 (declarant Ronald Barsz and opt-in plaintiffs to a companion case in the Western District of Pennsylvania drove heavy vehicles).

⁷ *Id.* ¶ 10.

⁸ *Id.* ¶ 28.

⁹ *Id.* ¶ 25.

¹⁰ *Id.* ¶ 28.
¹¹ *Id.* ¶ 20.
¹² *Id.* ¶ 28.
¹³ *Id.* ¶ 19.
¹⁴ *Id.* ¶ 28.
¹⁵ Khalik Decl. ¶ 2, Ex. 19.
¹⁶ *Id.* ¶¶ 10–12.
¹⁷ *Id.* ¶ 9.
¹⁸ *Id.* ¶¶ 5–6.
¹⁹ *Id.* ¶ 7.
²⁰ Sosa Dep. 15:2-4, Ex. 33.
²¹ *Id.* at 31:14–32:12.
²² *Id.* at 138:12-16.
²³ *Id.* at 44:4-11.
²⁴ *Id.* at 55:1-11.
²⁵ *Id.* at 55:1–57:19.
²⁶ *Id.* at 48:1-14.
²⁷ *Id.* at 39:12-21.
²⁸ *Id.* at 33:21-23, 70:2-18.
²⁹ *Id.* at 35:19–36:9.
³⁰ *Id.* at 69:6-24.
³¹ *Id.* at 35:19–36:9.
³² Decl. of Lopez ¶ 3, Ex. 14.
³³ *Id.* ¶ 6.
³⁴ *Id.* Ex. B at 13–14.
³⁵ *Id.* ¶ 27.
³⁶ *Id.* ¶¶ 11, 15, 16, 21.
³⁷ *Id.* ¶¶ 11–12.
³⁸ *Id.* ¶¶ 10–12.
³⁹ *Id.* ¶ 18.
⁴⁰ *Id.* ¶ 12.
⁴¹ Saludes Decl. ¶ 2, Ex. 30.
⁴² *Id.* ¶¶ 14, 19–20.
⁴³ *Id.* ¶ 21.
⁴⁴ *Id.* ¶¶ 8–9, 22.
⁴⁵ *Id.* ¶ 10.
⁴⁶ *Id.* ¶ 22.
⁴⁷ Parikh Dep. 13:5–15:18, Ex. 63.
⁴⁸ *Id.* at 26:1-21.
⁴⁹ *Id.* at 81:9-15.
⁵⁰ *Id.* at 51:13-15, 54:4-14.
⁵¹ Compare Parikh Dep. 62:12-19, 65:25–66:22, Ex. 63, with Hinds Dep. 46:6-12, Ex. 55, and Powell Dep. 60:22-25, Ex. 80.
⁵² Compare Parikh Dep. 62:12-19, 65:25–66:22, Ex. 63, with Hinds Dep. 46:6-12, Ex. 55, and Powell Dep. 60:22-25, Ex. 80.

⁵³ Parikh Dep. 53:22–54:25 (didn’t keep time records).

⁵⁴ *Id.* at 47:14, 48:7-25.

⁵⁵ *Compare* Parikh Dep. 54:18–55:11, Ex. 63, *with* Hinds Dep. 51:15-17, 96:22–97:8, Ex. 55, *and* Powell Dep. 55:23–56:3, Ex. 80.

⁵⁶ Grodi Dep. 41:22–42:2, Ex. 85.

⁵⁷ *Id.* at 53:19–54:7, 55:14–57:16.

⁵⁸ *Id.* at 149:1-12.

⁵⁹ Mikan Dep. 42:2–44:12, Ex. 86.

⁶⁰ Grodi Dep. 41:22–42:2, Ex. 85.

⁶¹ Grodi Dep. 229:10-25, Ex. 85, Mikan Dep. 23:10-25, Ex. 86.

⁶² Mikan Dep. 20:21-25, 27:15-19, Ex. 86.

⁶³ *Id.* 26:8–27:1.

⁶⁴ Braga Decl. ¶ 1, Ex. 74.

⁶⁵ *Id.* ¶ 4, 8.

⁶⁶ *Id.* ¶ 5.

⁶⁷ *Id.* ¶ 9.

⁶⁸ *Id.* ¶ 5.

⁶⁹ *Id.* ¶ 4.

⁷⁰ Sagarino Decl. ¶ 2, Ex. 17.

⁷¹ *Id.* ¶ 7.

⁷² *Id.*

⁷³ *Id.* ¶ 5.

⁷⁴ *Id.* ¶ 12.

⁷⁵ *Id.*

⁷⁶ Cabrera Decl. ¶ 12, Ex. 23.

⁷⁷ *Id.* ¶ 23.

⁷⁸ *Id.* ¶ 10.

⁷⁹ *Id.* ¶ 4.

⁸⁰ *Id.*

⁸¹ *Id.* ¶ 3.

⁸² *Id.* ¶¶ 13–14, 16–17, 20.

⁸³ *Id.* ¶ 13 & Ex. A.

⁸⁴ Cahill Decl. ¶ 1, Ex. 21.

⁸⁵ *Id.* ¶¶ 12, 14.

⁸⁶ Cahill Decl. ¶ 1, Ex. 21.

⁸⁷ *Id.* ¶ 4.

⁸⁸ *Id.* ¶ 7.

⁸⁹ *Id.* ¶¶ 9, 10.

⁹⁰ *Id.* ¶ 1.

⁹¹ Urciaga Decl. ¶ 2, Ex. 9.

⁹² *Id.* ¶¶ 7, 18, 19–20 & Ex. A.

⁹³ *Id.* ¶¶ 12, 22 & Ex. A.

⁹⁴ *Id.* ¶¶ 11, 13, 15 & Ex. A.

⁹⁵ *Id.* ¶ 18 & Ex. A.

⁹⁶ *Id.* ¶¶ 13, 23.
⁹⁷ Clere Decl. ¶ 1, Ex. 11.
⁹⁸ *Id.* ¶ 16.
⁹⁹ *Id.* ¶¶ 5, 7.
¹⁰⁰ *Id.* ¶ 7.
¹⁰¹ *Id.*
¹⁰² *Id.* ¶ 21.
¹⁰³ *Id.* ¶ 5.
¹⁰⁴ *Id.* ¶¶ 5–7 & Ex. A.
¹⁰⁵ *Id.* ¶ 8.
¹⁰⁶ Fredericks Decl. ¶ 2, Ex. 28.
¹⁰⁷ *Id.* ¶ 13.
¹⁰⁸ *Id.* Ex. A.
¹⁰⁹ *Id.* ¶ 12 (declarant Kelvie drove a heavy vehicle).
¹¹⁰ *Id.* ¶¶ 6–7 & Exs. A & B.
¹¹¹ *Id.* ¶ 11 & Ex. C.
¹¹² *Id.* ¶¶ 3, 12
¹¹³ Dane Dep. 11:22-24, Ex. 87.
¹¹⁴ *Id.* at 22:7-14.
¹¹⁵ *Id.* at 29:5–30:15.
¹¹⁶ *Id.* at 66:17–67:17.
¹¹⁷ *Id.* at 11:22-24.
¹¹⁸ *Id.* at 24:20–26:14, 64:19-23, 102:15-20.
¹¹⁹ *Id.* at 24:20–26:14.
¹²⁰ *Id.* at 22:15-20.
¹²¹ *Id.* at 22:25–23:14.
¹²² *Id.* at 41:22–42:4, 56:3-13.
¹²³ *Id.* at 58:4-11.
¹²⁴ Perez Decl. ¶ 2, Ex. 91.
¹²⁵ *Id.* ¶ 5.
¹²⁶ *Id.* ¶ 7.
¹²⁷ *Id.* ¶ 2.
¹²⁸ *Id.* ¶ 5.
¹²⁹ *Id.* ¶ 8.
¹³⁰ *Id.* ¶ 9.
¹³¹ *Id.* ¶ 8.
¹³² Stricevic Decl. ¶¶ 1–2, Ex. 8.
¹³³ *Id.* ¶¶ 1, 3.
¹³⁴ *Id.* ¶¶ 8–9.
¹³⁵ *Id.* ¶ 9.
¹³⁶ *Id.* ¶¶ 19, 27 & Exs. A & B.
¹³⁷ *Id.* ¶ 1.
¹³⁸ *Id.* ¶¶ 15–16, Exs. A & B.

¹³⁹ *Id.* ¶ 15.

¹⁴⁰ *Id.* ¶ 26.

¹⁴¹ *Id.* ¶ 22

¹⁴² *Id.*.

¹⁴³ Grinberg Dep. 19:16–20:3, Ex. 89.

¹⁴⁴ *Id.* at 24:13–30:8.

¹⁴⁵ *Id.* at 96:22–97:6.

¹⁴⁶ *Id.* at 89:4-9.

¹⁴⁷ *Id.* at 37:19–39:4.

¹⁴⁸ *Id.* at 51:17–52:2, 53:3-5.

¹⁴⁹ *Id.* at 51:17–52:2, 53:3-5, 89:4-9.

¹⁵⁰ Pinato Decl. ¶ 1, Ex. 13.

¹⁵¹ *Id.* ¶¶ 11–12.

¹⁵² *Id.* ¶ 25.

¹⁵³ *Id.* ¶ 26.

¹⁵⁴ *Id.* ¶ 4 (declarant Rhonda Howard drove a heavy vehicle).

¹⁵⁵ *Id.* ¶ 23.

¹⁵⁶ *Id.* ¶ 15.

¹⁵⁷ *Id.*

¹⁵⁸ *Id.* ¶ 5.

¹⁵⁹ *Id.* ¶ 5 & Ex. A.

¹⁶⁰ *Id.* ¶ 24 & Ex. C.

¹⁶¹ *Id.* ¶ 4.

¹⁶² Flores Decl. ¶ 2, Ex. 24.

¹⁶³ *Id.* ¶ 8.

¹⁶⁴ *Id.* ¶ 4.

¹⁶⁵ *Id.* ¶¶ 13–14.

¹⁶⁶ *Id.* ¶ 11.

¹⁶⁷ *Id.* ¶ 9.

¹⁶⁸ *Id.* ¶ 12 & Ex. D.

¹⁶⁹ Schriner Decl. ¶ 2, Ex. 90.

¹⁷⁰ *Id.* ¶¶ 12, 14.

¹⁷¹ *Id.* ¶ 11.

¹⁷² *Id.* ¶ 9.

¹⁷³ *Id.* ¶ 2.

¹⁷⁴ *Id.* ¶ 4.

¹⁷⁵ *Id.*

¹⁷⁶ *Id.* ¶ 10.

¹⁷⁷ *Id.* ¶ 7.

¹⁷⁸ Kwan Decl. ¶ 3, Ex. 22.

¹⁷⁹ *Id.* ¶¶ 10, 18 & Ex. B, Ex. 22.

¹⁸⁰ *Id.* ¶ 17, Ex. 22; Rasmussen Decl. ¶¶ 3–4, Ex. 18.

¹⁸¹ *Id.* ¶ 5, Ex. 22 (declarant Perez drove a heavy vehicle at all times during his employment with LR Express, Inc.).

¹⁸² *Id.* ¶¶ 7–12 & Ex. A, Ex. 22.
¹⁸³ *Id.* ¶ 10 & Ex. B, Ex. 22; Rasmussen Decl. ¶¶ 5–6, Ex. 18.
¹⁸⁴ *Id.* ¶¶ 14, 16 & Ex. A, Ex. 22.
¹⁸⁵ *Id.* ¶ 15 & Ex. C, Ex. 22; Rasmussen Decl. ¶ 8, Ex. 18.
¹⁸⁶ Ataie Decl. ¶¶ 5, 10–11, Ex. 16.
¹⁸⁷ Wingo Dep. 56:3-10, Ex. 84.
¹⁸⁸ *Id.* at 193:15–194:1.
¹⁸⁹ *Id.* at 146:21–149:12.
¹⁹⁰ *Id.* at 191:2-6.
¹⁹¹ Ataie Decl. ¶ 32, Ex. 16.
¹⁹² *Id.* ¶ 26; Wingo Dep. 131:14–132:18, Ex. 84.
¹⁹³ Wingo Dep. 132:1-5, Ex. 84.
¹⁹⁴ *Id.* at 89:8-22, 92:17-21.
¹⁹⁵ Ataie Decl. ¶ 16, Ex. 16.
¹⁹⁶ Diniz Dep. 33:6-17, Ex. 51.
¹⁹⁷ *Id.* at 35:3-17.
¹⁹⁸ *Id.* at 123:24–124:25.
¹⁹⁹ *Id.* Dep. Ex. 15.
²⁰⁰ *Id.* at 126:7-20, 127:3–128:15, 129:22–130:7.
²⁰¹ *Id.* at 92:13-16, 93:5-16, 99:3-20, 101:12-17, 102:8-24, 116:20–117:14 & Dep. Exs. 15 & 18.
²⁰² *Id.* at 80:19-24, 83:19–85:18, 86:4-24, 155:16–156:9 & Dep. Ex. 14.
²⁰³ *Id.* at 32:9–34:9.
²⁰⁴ *Id.* at 74:6-17, 75:24–76:15, 77:7-14.
²⁰⁵ *Id.* at 67:7–71:17, 72:22–73:21.
²⁰⁶ *Id.*
²⁰⁷ *Id.* at 70:7–73:18.
²⁰⁸ Tennant Decl. ¶ 3, Ex. 98.
²⁰⁹ *Id.* ¶ 6.
²¹⁰ Schriner Decl. ¶¶ 12, 14, Ex. 90.
²¹¹ Tennant Decl. ¶ 3, Ex. 98.
²¹² *Id.* ¶¶ 6-7.
²¹³ *Id.* ¶¶ 7-8.
²¹⁴ Staples Decl. ¶¶ 3, 6, Ex. 25.
²¹⁵ *Id.* ¶¶ 13, 14 & Ex. B.
²¹⁶ *Id.* ¶ 12.
²¹⁷ *Id.* ¶ 6.
²¹⁸ *Id.* ¶ 16.
²¹⁹ *Id.*; Jones Decl. ¶ 5, Ex. 4.
²²⁰ Staples Decl. ¶ 12, Ex. 25.
²²¹ Noda Decl. ¶ 2, Ex. 15.
²²² *Id.* ¶ 14.
²²³ *Id.* ¶ 15.
²²⁴ *Id.* ¶ 6.

²²⁵ *Id.* ¶ 8.
²²⁶ *Id.* ¶ 7.
²²⁷ *Id.* ¶¶ 7, 8 & Ex. A.
²²⁸ Sheban Decl. ¶ 3, Ex. 6.
²²⁹ *Id.* ¶ 11.
²³⁰ *Id.* ¶¶ 5–8 & Exs. A & B.
²³¹ *Id.* ¶ 10 & Ex. C.
²³² *Id.*
²³³ Prasad Decl. ¶ 2, Ex. 7.
²³⁴ *Id.* ¶ 10.
²³⁵ *Id.* ¶ 24 & Ex. A.
²³⁶ *Id.* ¶ 15.
²³⁷ *Id.* ¶ 2.
²³⁸ *Id.* ¶¶ 17–18 & Ex. A.
²³⁹ *Id.* ¶¶ 19–21 & Ex. C.
²⁴⁰ *Id.* ¶ 4.
²⁴¹ *Id.* ¶ 22.
²⁴² *Id.* ¶ 11.
²⁴³ *Id.* ¶ 23.
²⁴⁴ Kim Decl. ¶ 4, Ex. 5.
²⁴⁵ *Id.* ¶ 10.
²⁴⁶ *Id.* ¶ 9.
²⁴⁷ *Id.* ¶ 6 (declarant Warner drove a heavy vehicle).
²⁴⁸ *Id.* ¶ 14 & Ex B.
²⁴⁹ *Id.*
²⁵⁰ *Id.*
²⁵¹ *Id.* ¶ 8.
²⁵² *Id.*
²⁵³ Tenter Decl. ¶ 2, Ex. 12.
²⁵⁴ *Id.*
²⁵⁵ *Id.* ¶ 11 & Ex. B.
²⁵⁶ *Id.* ¶ 10 & Ex. B.
²⁵⁷ *Id.* ¶¶ 8–9 & Ex. C.
²⁵⁸ *Id.*
²⁵⁹ *Id.* ¶ 9 & Ex. C.
²⁶⁰ *Id.* ¶ 6.
²⁶¹ *Id.*
²⁶² Turner Dep. 19:25–20:17, Ex. 82
²⁶³ *Id.* at 27:23–29:1, 30:15-22.
²⁶⁴ *Id.* at 61:6-10.
²⁶⁵ *Id.* at 61:18–62:8.
²⁶⁶ *Id.* at 142:16-21.
²⁶⁷ *Id.* at 17:5-24.

²⁶⁸ *Id.* at 38:17-20.

²⁶⁹ *Id.* at 47:17-21.

²⁷⁰ *Id.* at 44:20-25.

²⁷¹ *Id.* at 38:17-20, 142:16-21.

²⁷² Ataie Decl. ¶ 7, 9, Ex. 16.

²⁷³ Tzorbatzakis Dep. 221:22–222:8, 227:2-5, Ex. 75

²⁷⁴ *Id.* at 42:12-21.

²⁷⁵ *Id.* at 227:6-12.

²⁷⁶ Ataie Decl. ¶ 32, Ex. 16.

²⁷⁷ *Id.* ¶ 26.

²⁷⁸ *Id.* ¶¶ 27, 28

²⁷⁹ *Id.* ¶ 16.

²⁸⁰ *Id.*

²⁸¹ *Id.* ¶ 20.